A Short View of the Conduct of the English Clergy

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SCC #11,1065





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English Clergy.

(Price 1 s. 6 d.)

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SHORT VIEW

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ENGLISH CLERGY,

So far as relates to

CIVIL AFFAIRS,

FROM THE

CONQUEST to the REVOLUTION.

But tract of time, and long prosperity
(That nurse of vice, this of insolency)
Lulled the shepperds in such security,
That, not content with loyal obeysance,
Some gan to gape at greedy governance,
And match themselves with mighty potentates,
Lovers of lordships, and troublers of states.

SPENCER.

LONDON;

Printed for T. COOPER, at the Globe, in Pater-Nofter Rows.
M.DCC.XXXVII,

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A short View of the Conduct of the CLERGY.

HE behaviour of the clergy having feem'd to be very extraordinary on fome late occasions, I was led by my reflections on that head to make some further enquiry, than I had hitherto done, what the conduct of that fet of men had been from the more early times of our government down to the present, and what had been the opinions of the wifest of our ancestors about it.

I thought it was far from improper at this time to know not only what restrictions to the power and wealth of the church, the legislature had formerly deem'd requifite, but also whether the clergy had not by their behaviour made those restrictions absolutely necessary. From thence we may better know what to think of their clamours of late, upon any attempt to put the least limits to their property, or restrictions to their power, in such cases, B

where

where it might be made use of to oppress any of their fellow-subjects.

For tho' the reasonableness of laws to prevent the abuse of power, or an exorbitant increase of property in any set of men, where there is only a probability of either, is itself sufficient to recommend the enacting them, even tho' we had not already been sensible of such abuses; yet the necessity of such laws is still further enforced, when sounded on examples and experience, and confirmed by the opinions of our wife predecessors.

It is for this reason, I trouble the publick with the following sheets, that by laying before them in as short and compendious a manner, as I am able, an historical account of the conduct of the clergy of this nation, as far as it any way affected civil affairs since the time of William I, they may form a judgment from matters of fact, how far necessary all precautions in the laity against the designs of the clergy are, according as they see this conduct of theirs has promoted the publick good or otherwise.

Whoever looks into our antient histories, will find the clergy have been always guided by a distinct interest of their own, most frequently contrary to that of the nation: instead of afferting the liberty of the people, they

have been most instrumental in all attempts to destroy it; instead of propagating generous notions of freedom, they have constantly endeavour'd to instil into the minds of men the most slavish maxims, and taught lessons of the most blind and abject submission.

Their opposition to power, whenever they have made any, has generally been factious and selfish, not grounded on motives of regard for the good of the common-wealth, but occasion'd by some attempt upon their temporal interest or privileges, which was often no other than a just intention of retrenching their encroachments upon the crown, and people.

Accordingly we may observe, that the most dangerous designs against the publick have been form'd by such of our princes, who begun with securing the clergy to their interest by great condescensions to them; for we seldom find the clergy to have fail'd returning the compliment by a concurrence in promoting the most arbitrary attempts by their doctrine and actions.

The use, the clergy have made, of what power they have acquired under such princes, has always been most insupportable to the laity, especially to such as have opposed it. I will not detain the reader any longer from forming his own judgment on this subject, but hasten to my relation of facts, by which only I desire he may be determin'd, as he shall find them agreeable to truth, to which I have endeavour'd to have the strictest regard.

The battle of Hastings gain'd by the duke of Normandy would have been very far from determining the fate of this country, had the English sufficiently united in its defence. He was in possession of but one castle in the kingdom, that of Dover. The earls Morcar and Edwin, who had diftinguish'd themselves already in the defence of their country, had shut themselves up in London with the remains of the army defeated at Hastings. William could not without evident danger march into the heart of the kingdom, and leave that city behind him in possession of his enemies; nor could he lay fiege to a place, that would cost him much time, and employ the greatest part of his army, which was no large one, without leaving all the remote countries in England at liberty to take proper measures for their security, and to raise feveral armies, which might have been greatly superiour to his own.

Whilst

Whilst he was in this perplex'd situation, the English had no reason to despair; and indeed the two earls just mention'd used all their efforts to animate the Londoners.

To unite them the more it was propos'd to declare young Edgar king. In this generous defign it was reasonable to think, the clergy would have unanimously concurr'd. 'One would expect to find that body of men making use of all their influence over the people to inspire them with a sense of the duty, they ow'd their country, and the obligations they were under to venture their lives in defending it from an army of rapacious adventurers: that they would have employ'd their interceffion with heaven (which they would willingly have thought to be so efficacious) to avert the impending flavery, and by it have promoted a confident zeal in their countrymen to exert themselves with intrepidity in so glorious a cause

But how little was the publick good any motive of their conduct! they could not think of continuing a war, which expos'd the lands of the church to rapine and defolation, when, by a timely facrifice of the liberty of their fellow-fubjects, they had it in their power to make their own terms: they could not help being partial in favour of one, who had under-

taken his enterprize with the countenance of the Pope: and they thought the church might make an acquisition of wealth and power under a prince, that had the character of being religious, and who could not but think himself under the greatest obligations to them, should the people by their means be prevail'd on to receive him for their king.

With these views they oppos'd the designs of the people, who had now come to a resolution of placing young * Edgar on the throne; but by the bishops declaring for William, the citizens were by their example at last prevail'd on to open their gates, and receive him.

Thus by the interested cabals of the clergy were the English dissuaded from uniting in defence of their country; and the desirable state of liberty, founded on and secur'd by prudent and wholesome laws, which they had enjoy'd under the race of Saxon kings, was chang'd for the oppressive government of a Norman invader.

Nor was it long before the clergy themselves found, how ill-grounded their selfish policy had been, notwithstanding the monasteries had a share in the distribution of king Harold's treasure; but what opposition any of them made to the invasion of their own rights,

^{*} Cæteri proceres Edgarum eligerent, si episcopos assertore: baberent. Malmsb. fol. 57.

when they had given up those of their country, ferv'd only as a pretext for a more rigorous treatment.

During the life of W. Rufus the clergy felt fo great a share in the general oppression of that reign, and were always so disregarded by him, that they had very little opportunity of furnishing any circumstances by their conduct worth relating here. It may not however be amiss to observe, that the promoter and instrument of all his oppression and violence, was Ranulph Flambert bishop of Durham *.

Henry I. had not been long on the throne, before the encroaching spirit of the church discover'd itself in the person of Anselm, archbishop of Canterbury. That haughty prelate refolv'd to wrest from the king his right of investiture of bishops and abbots; a prerogative his predecessors had enjoy'd without disturbance, and with great reason; for otherwife the clergy might have made it one of their pretences for denying, they ow'd the foundation of their authority to the civil power. In pursuance of this defign, upon the king's shewing some resolution at first to maintain his right, Anfelm, attended by feveral prelates who had refign'd their bishopricks, infolently carried his complaints to Rome, and defir'd

the Pope by his fole authority to re-instate them in their sees. We may infer from * M. Paris, the good arch-bishop judg'd it no simony in so righteous a cause, to make use of the rhetorick of gold with his holiness, who fail'd not to grant his request. In this manner did the ambition of that prelate not only invade the just rights of the king, but introduc'd a precedent, thro' the want of resolution in Henry, tending to render both him and his successors slaves to the papal authority, which never fail'd by its interposition in all affairs of this kind to improve them to its own advantage.

Upon the death of Henry we are furnish'd with a most lively instance of the regard, the clergy paid to the most solemn oaths taken in the most publick manner. Before the departure of the late king to Normandy he call'd an † assembly of the great men, in which the bishops were the first, that swore to acknowledge his daughter the empress Matilda for their sovereign, in case Henry died without issue male. The right of birth undoubtedly pleaded in her behalf, and her descent by her mother's side from the race of Saxon kings,

+ Malmsb. fol. 99.

^{*} Tunc sedes clementissima, quæ nulli deesse consuevit (dummodo albi aliquid vel rubci intercedat) præscriptos pontifices & abbates ad prissimas dignitates miserecorditer revocavit. M. Paris, p. 49.

kings, was a circumstance, which could not but greatly recommend her to the English. However, Henry's death, which fell out in a short time after, was no sooner known, than the clergy declar'd in favour of Stephen, and by their example not only countenanc'd part of the nobility in the violation of the oath fo lately taken to Matilda, but by their fuperiour power in the kingdom deterr'd others from opposing their defigns. The arch-bishop of Canterbury, the bishops of Winchester, and Salisbury were three of the richest subjects in England: the last ow'd his rife, from nothing as it were, to the late king, whose will he was ungratefully now going to fubvert. I will just mention what Rapin says on this occasion, who entirely attributes Stephen's advancement to the clergy. " It was (fays he) a great advantage to Stephen to have for him three " prelates, whose interest secur'd him the suf-" frages of the clergy. This body was then " fo powerful, that the lay-lords, who were " not in the plot, did not think themselves " able to oppose the design, which they saw " was entirely form'd, of placing Stephen on " the throne; fince all the bishops declar'd in " his favour, not one attempted to speak for " Matilda, fo great an influence had the ex-" ample and authority of the clergy over the " minds

" minds of the nobles and people." How false the affertions were, on which the bishops grounded the evasion of their oaths, appears from the opinion of Malmsbury. That historian mentioning the reason, which the bishop of Salisbury alledg'd in his hearing, concludes with faying, that he * does not mention it' there as giving any credit to those words of a man, who could fo well accommodate himfelf to all times, as fortune shifted the scene, but in order to discharge his duty as an historian. Let us now fee how they behav'd to that Stephen, whom they had placed on the throne. They were not long before they shew'd the use, they intended to make, of the advancement of a king, who was indebted folely to themfelves for it. They supposed, he would not think it his interest to disturb them in the defign, they had form'd, of embracing the prefent opportunity to render themselves formidable, and become independent of him and his fuccessors for the future. In order to accomplish this project, they not only fortify'd such castles, as they had already in their hands, but erected feveral new ones. They outvied all the nobility in the magnificence of their houses and retinue, and affected to appear fo numeroufly attended on all occasions, that they look'd

look'd much more like military chiefs at the head of so many little armies, than the meek and peaceable pastors of Christ's flock.

It cannot be wonder'd at, that a behaviour of this kind alarm'd the king, and almost neceffitated him to take those steps towards depriving some of them of their castles, which afterwards involv'd him in fo much trouble. It was not only his own private fentiments, which determin'd him in that point, but the advice of most of the nobles concurr'd with his own opinion, that some stop should be put to the formidable power of the bishops *, which increas'd fo fast. But however defirable this might be, it was now not to be effected: the clergy had fo great an influence over the lower people, that the nation was in a flame at the king's feizing the bishops castles. Religion itself was look'd upon as invaded, which, as Rapin fays, was now thought to confift in upholding the church in whatever privileges and immunities, she herself was pleas'd to assume. The bishops openly talk'd of opposing the king by arms, and became so strong, that great numbers of the lay-lords thought it safest to go over to their side. Stephen had indeed fome time before given the people in general too much cause to alter

the good opinion, they had once entertain'd of him; and we find feveral barons had then taken up arms against him in defence of their liberty: but that affair had at this time been made up, and, as I before observ'd, it was now the sentiments of most of the lay-lords, that the power of the bishops required a stop to be put to it; tho' when the attempt had embroil'd the king in these troubles, but few of those lords had recover'd their esteem for him so far, as to affert his cause with the zeal, they would otherwise have done, and draw upon themselves the sury of a body of men at that time more formidable than their own.

But that the ground of this quarrel was no national cause, appears further from hence. Had the point in dispute concern'd the publick liberty, the king must have answer'd for his conduct only before the great council of the kingdom; whereas in this case he was cited before a synod at Winchester *, conven'd by the bishop of that place as legate: which not only shews the dispute to be particular with the bishops, but was itself a greater insult offer'd the community, than ever Stephen had been guilty of.

During this dispute, Matilda thought it a favourable juncture to land in England, and

claim her right to the crown. She no fooner arrived, than the clergy were forward to declare for her: but the bishop of Winchester, who had hitherto chiefly excited and promoted the troubles of the king his brother, begun now to fee his error in raifing the fform fo high, and that his own ruin would be infeparable from that of his brother. With this confideration he at first did him some service; but no fooner had the chance of war declar'd itself in favour of Matilda by Stephen's being taken prisoner, than he again threw up his brother's cause, and won by a promise, that he should dispose of all ecclesiastical preferments, undertook to procure Matilda the fuffrages of the clergy to elect her queen. In order to this he conven'd a fynod by his legatine authority, the day before the opening of which he conferr'd in private first with the bishops, then with the abbots, and lastly with the arch-deacons. When the time appointed for their meeting was come, after he had made a speech, in which he publickly afferted * the principal right of chufing a prince belong'd to the clergy, the fynod declar'd Matilda queen. It was thus with an unheard-of, and unprecedented insolence the clergy alone pretended to give the nation a fovereign without confulting the

the barons, nay contrary to the fentiments of many of them, who had at this time fent their deputies with those of the city of London to demand Stephen's liberty. But this message had no other effect than to draw an excommunication upon the king and his adherents.

However monstrous this conduct appears to be, the measure of their insolent and treacherous proceedings was not yet compleated: for in a very short time afterwards the bishop of Winchester having been disoblig'd by Matilda, he once more deserted her cause; and assembling another synod at Westminster * he found his brethren nothing loath in undoing, what they had fo lately done at Winchester. Stephen, who was now at liberty, having been exchang'd for the duke of Glocester, was again acknowledg'd by them as king, and Matilda in her turn excommunicated with her adherents. This change foon render'd her affairs fo desperate, that she was obliged to quit this kingdom, and leave Stephen in possession of a crown, which he first obtain'd, afterwards lost, and again recover'd by the intrigues and power of the ecclefiafticks.

The power, the church assumed to itself in the next reign, and the entire independence

on the state, that it laid claim to, evidently appears in the contest between Henry II. and Becket. The laity were reduced to a kind of flavery by the clergy: whatever outrages they fuffer'd from them, they durst not repel for fear of excommunication (the effects of which were at that time fo terrible,) nor could they expect any redrefs from the laws, fince the ecclefiafticks claim'd a privilege of being tried only in their own courts; there every thing was carry'd on with the most open partiality; the ecclefiafticks were only liable to flight corrections, and for the most heinous crimes punish'd no further than with degradation, a short suspension, or short confinement.

It was proved *, there had been above a hundred murders committed by church-men fince the king's accession to the throne, of whom not one had been punish'd so much as by degradation.

For attempting to redress such an unparallel'd enormity the king and the whole body of peers in parliament were treated by this haughty prelate with that insolence, and open contempt of their authority, as fills every reader of this part of our history with the utmost indignation.

Of such consequence is it at all times to prevent every step, which may insensibly tend to procure such wealth and power in the clergy, or any other set of men, as may create an independency in them; since we see a prince of so much spirit, as Henry II. is allowed to be, for endeavouring to retrench that part of ecclesiastical usurpation, which protected criminals from justice, forc'd to atone for this so unchristian and wicked attempt, by the most abject condescension and submission; tho' his design had the good wishes and concurrence of all the nobility in the kingdom, who at this time groan'd under the ecclesiastical yoke.

Richard I's was a reign, in which we find very little faid of ecclefiaftical affairs or perfons. That prince was but a few months in England after he came to the crown. The accounts of that time chiefly concern that romantick expedition of his to the Holy-land fo expensive to his country, and fatal to himfelf in being made prisoner by the em-

The tyrannical government of king John made the opposition, he met with from his barons, an indispensable duty, they ow'd themfelves, their country, and posterity. The temper of this monarch was such a mixture of

folly,

folly, pride, and meannefs, that it was imposfible, but he should embroil himself with all sets of men, however different and opposite their interests might be. Therefore tho' the clergy feem to have a great share in the events of this reign, we should however carefully distinguish the motives of their conduct, as well as confequences of it, from that of the barons. The first troubles of importance in this reign were merely ecclefiaftical. The Pope's nominating cardinal Langton to the see of Canterbury plung'd the kingdom into very great difficulties and misery. The king's refusal to admit him as arch-bishop brought an interdict on the kingdom; and the clergy were fo far from being displeased at this usurpation in the Pope, that those few of them, who would willingly have lessen'd the general confusion occasion'd by the interdict, by continuing to perform the duties of their office, fuch as reading prayer, burying the dead, and the like, met with continual infults from the zealots *. This drew upon the ecclefiafticks the king's utmost feverity, who feized on their lands, imprifoned their persons, and committed all manner of outrages on them. The interdist was foon after follow'd by an excommunication of the king,

* Rapin vol. 1. p. 269.

king, and the people were absolv'd by the

Pope from their oath of allegiance.

The nation in general had been so much oppress'd, that the barons took this occasion to throw off all obedience to king John. Had he been a prince in the esteem of his subjects, no doubt they would have greatly refented this infult to their fovereign. But the confequence was, the king to support himself against the lords, found himself obliged to fubmit to the holy fee, whose reconciliation was to be purchased on no other terms than a refignation of his crown after the most ignominious manner to the Pope, in the person of his legate; which he was to receive back, and hold ever after as his vaffal, and as fuch to pay a yearly tribute. The general defection of the barons, which follow'd, tho' they made a political use of these troubles, yet was a thing quite distinct from them, and founded wholly on principles of liberty. And as the grounds were different, fo were the consequences: the first render'd the kingdom tributary to the fee of Rome; the latter procur'd the figning of Magna Charta, that basis of the liberty of England ever fince.

It will perhaps be faid that after the reconciliation of John to the Pope, from which time he condemn'd the barons opposition, and

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fent a legate to reconcile the king to the clergy, yet they still refused to comply with the terms propos'd, and several of them adher'd firmly to the cause of the barons.

But we may with great reason conclude the consideration of their own particular interest was what influenc'd them chiefly on that occasion; for the reparations settled by the * Pope for the damages, the clergy had sustain'd from the king during the interdict †, fell infinitely short of their real losses: for which reason they were entirely dislatisfy'd at the legate's determination.

Nor can we well imagine that arch-bishop Langton, who, for his own private advancement, could suffer himself to be made the cause of so much misery to the kingdom, and of the most ignominious prostitution of the honour of the English crown and nation, could afterwards act in defence of its liberty, from the generous and disinterested motives of publick spirit.

Nothing could be worse concerted than the design, Henry III. form'd, of freeing himself from the restraint, he thought the lords had laid on his father by Magna Charta. Instead of gaining the clergy to his interest, and thereby making them subservient to his designs, he D 2

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not only made them partake of the general oppression of his reign, but suffer'd them to be devour'd by the infatiable extortion of the Pope's legates. The king vainly thought all he had to do, was to keep fair with the holy fee; the Pope knew how to make the proper use of this tempter in the king; and fince John's refignation feem'd to confider England as a tributary country, which he might plunder at discretion. He had now no occasion for the affistance of the clergy, who, whilst they found their account in it, promoted all his defigns, and exalted his usurped power. But as the case now stood, they found a blind complaifance for the orders of the Pope, and his demands of money, would only ferve to ruin them. They had nothing to hope from the king, who kept no measures with them: they beheld with grief all vacant benefices bestow'd on foreigners, infomuch that at one time no less than three hundred ecclesiasticks were fent over. Whofoever looks into M. Paris will find him every were full of instances of the Pope's extortion and oppression towards the English clergy, in which the king went hand in hand with him. The clergy were not so blind to their own interest, as not to be fenfible it was now their business to join with the people, in condemning Henry's proceedings: accordingly we find thro' this reign they always shew'd great backwardness in complying with the exactions of the King and Pope, and sometimes they had the resolution to give them a down-right resusal, and openly to declare they would no longer submit to such oppressions.

But that their regard for the interest of the laity was no greater than at other times, plainly appears from the open attempts they themselves made towards subverting the laws, which my lord Coke mentions in his preface to the articuli cleri *. " In the 42d year of Henry III. "Boniface arch-bishop of Canterbury made " divers and many canons and conflitutions " provincial, directly against the laws of the " realm, and tending to usurp and encroach "upon many matters which apparently be-" long'd to the common law; but notwith-" flanding the greatness of Boniface, and that " divers of the judges of the realm were of the " clergy, and all the great officers of the realm, " as chancellor, treasurer, privy seal, &c. were " prelates, yet the judges proceeded according " to the laws of the realm, and still kept, tho " with great difficulty, the ecclefiaftical courts " within their just and proper limits." We may reasonably conclude, had this king taken

the method, some of his more politick succesfors have done, of attaching the clergy to his interest by shewing a zeal for their pretended rights, and a readiness in contributing to the advancement of their riches and power, and . had himself only plunder'd and harass'd his other subjects; he would have met with their full concurrence in his defigns: and all precautions in the laity for the fecurity of their liberty, would have been cenfur'd as unwarrantable, and rebellious. For what could not be expected from a fet of men, whose power and wealth were become fo dangerous to liberty, and their endeavours to encrease them fo strenuous, that, as the great man just quoted fays, it was with great difficulty the laws of the land were refcued from their all-engroffing ambition?

In this and the following reign, we may observe, how difficult it was by the wifest provisions and restrictions of the law to prevent the clergy from evading such statutes as set any bounds to their wealth or power. At the time of signing Magna Charta by Henry the barons were so sensible of the dangerous consequence of the immense riches, the church was every day acquiring, that they inserted a clause to prevent the further disposition of lands to religious houses. But the clergy sound

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fo many ways to creep out of that statute, and their possessions continued still to increase so fast, that in the 7th of Edward I. the statute of mortmain was enacted to the general joy of the people. The words intended to provide against their devices are so strong, that I will insert them here: " * Quod nullus religiosus " aut alius quicunque terras aut tenementa " aliqua emere vel vendere sub colore dona-" tionis aut termini, (and to prevent all other inventions and evafions, these general words were added) " aut ratione alterius tituli terras " aut tenementa ab aliquo recipere aut alio " quovis modo, arte vel ingenio, fibi appro-" priare præsumat, sub forisfactura eorundo-" rum."

A man would have thought, fays my lord Coke, that this should have prevented all new devices; but they soon found out an evasion for this statute also.

In the progress of this reign we see the grounds of their opposition in the former fully made out by the willingness, the clergy shew'd, in making use of the Pope's authority, whenever it chimed with their own interest: they now made a bull of Bonisace VIII. † a pretence to exempt them from the payment of any taxes to secular princes, without the con-

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^{*} See lord Coke's magna charta, chap. 36. † M. West. 405. Walsing. p. 68,

fent of the holy fee; and by fo doing, openly put themselves upon a foot of independence on the rest of the kingdom; and even assum'd a superiority, by declaring they were not obliged to join with them in contributing to the publick expences.

In the close of this reign the bishops give us a further more convincing proof of what I have before faid, that hitherto whenever they shew'd a disapprobation of any innovations or oppressions, it was merely because they had no share in the profits. Edward, notwithstanding the encomiums of some historians, had no less fondness for arbitrary power than his predecessors, tho' his superiour understanding made him fensible, how necesfary it was to conceal it; of which he was convinc'd by the resolute behaviour of some of the barons. However, towards the decline of his life he begun to act with less reserve in that respect; and having procur'd from Rome a dispensation of his oath in regard to the two charters, he by virtue of a grant from thence levy'd the tenth of all ecclefiaftical revenues for two years; in confideration of which, the Pope reserv'd to himself the first fruits of all the benefices. Here one would imagine, that the chief men of the clergy were concern'd in the greatest degree

to prevent any innovation of this kind, which fo particularly affected their own body; but in this care was taken, that the bishops should have a fellow-feeling, and therefore they quietly submitted to it: for * M. of Westminster tells us, the Pope was induced to this thro' the covetousness of the bishops, who submitted to this innovation on condition, that they might enjoy one year's profits of all vacant benefices in their gift. At the same time the parliament † shew'd a more disinterested regard for the clergy, than their own heads had done, by prohibiting the collectors to gather the tax, tho' the power of the king made their prohibitions useless.

Never was the parliament more fensible of the ecclesiastical yoke, or more ready to come to resolutions of putting a stop to the papal oppressions, than under Edward II. But the weakness of that king, and the circumstances, he was in, made all their endeavours ineffectual. The clergy were so satisfy'd of his weakness, and so intoxicated with their own pride and power, that they committed the most unparallel'd insult and violence to publick justice, the laws of the realm, and therein to the whole nation. Adam Orleton ||, bishop of Hereford, having been indicted of high-treason.

^{*} Mot. Westm. 457. + Rapin. | Walsing. p. 119.

treason, for being concern'd with Mortimer earl of March in his open rebellion; the archbishops of Canterbury, York, and Dublin, with feveral of their fuffragans, came to the bar, and by force took him away, threatning to excommunicate all that should oppose them, and proceed against him: and this they did under pretext of the canons * of the church, though the benefit of clergy, however they had found means of late to extend it, was never allow'd to reach to high-treason against the king. And all this was done in defence of a man the most abandon'd by every virtue, and of whose character nothing can convev a more perfect idea, than his own order afterwards to the keepers of the unhappy Edward: "Edwardum occidere nolite timere " bonum est."

Under Edward III. (most eminently the best and greatest of our princes, who underniably deserves those encomiums given him by historians, which flattery or want of discernment made them too apt to bestow on others; more vigorous methods were taken by the king and parliament to deliver the nation from the so long complain'd-of papal oppressions. With that intent the statutes of provisors and præmunire were enacted: the

^{*} See lord Coke's 2d Inft. p. 634, and 635.

first to prevent the court of Rome from difpofing of ecclefiaftical benefices contrary to the right of the king, or any other person; the fecond to prevent the subjects of England carrying causes to any foreign or other court, the cognizance of which belong'd to the king's courts. However, notwithstanding these precautions, we find the grievances still continued, and the Pope exacted as a tax from ecclefiaftical dignities, " five * times as much as the tax " of all the profits that appertain'd to the king "by the year of this whole realm." Accordingly we find hardly any meeting of parliament in this reign, in which these grievances are not complain'd of, notwithstanding the statutes made, and so frequently confirmed for preventing them.

Now when we confider the unanimous and conftant opinion of both king and parliament on this head, and the vigorous resolutions, they so often came to; can we reasonably account, why the measures taken by them should prove ineffectual any other way than from the timidity or connivance of the clergy themselves? both of which I think appear pretty plain. The parliament expressly mention the first, in saying "the whole clergy" were so obedient to the Pope's collector, that

^{*} Cotton's Parl. Roll. 50 Ed. 3. + Parl. Roll. 50 Ed. 3.

"they did not dare displease him." And that they did more than barely connive at appeals from the king's courts, contrary to the statute of præmunire, appears, in that they themselves presum'd to take cognizance of appeals from those courts in their own ecclesiastical courts. "And to reverse judgment given in the king's courts to the prejudice and disherison of the king and commonalty:" as the parliament of the 21st of Ed. III. recite in their complaint.

That the parliaments in this reign were no less apprehensive of the power and encroachments of the clergy at home, than of the see of Rome, appears from several parliamentary petitions * and resolutions on that head. At one time we find them praying the king, that remedy might be had against the oppression of ordinaries, and their officers. At another time they make their request to the king, that "no pordinance might be made at "the petition of the clergy without consent "of parliament, and that no man might be bound by any their constitutions made "for their advantage."

The clergy had for some time past intruded themselves into all the great places of trust, power, and profit in the state, the civil courts, and

^{*} Parl. Roll. 25 Ed. 3. + Parl. Roll. 51 Ed. 3.

and king's houshold *. The lords and commons therefore represented to the king, that the realm had long been govern'd by churchmen, to the great prejudice of the crown; and therefore requir'd, that for the future the great officers of the king's courts might be only laymen.

The justness of these complaints, and of the precautions of the parliament, is fully confirm'd by the conduct of the clergy in the following reign. Richard II. had not been long on the throne, before they took the advantage of the youth and weakness of that prince to procure his confent to an ordinance for the imprisoning of such, as they should think fit to declare hereticks: and this entirely without consent of parliament, a most notorious outrage, if ever there was any, upon the establish'd constitution of this kingdom. But what measures would they not take to destroy a growing fect, fuch as the Wicliffites, who propagated principles of fo damnable a nature, as tended to destroy the temporal grandeur and power of the church? a doctrine that in all ages will never fail being censur'd by most of them, as highly heretical. But the house of commons were so sensible of this heinous encroachment upon the rights of the people,

people, that the ordinance was repeal'd by the king next parliament; and the declaration of the commons on this occasion had so much becoming resolution and spirit in it, that it may not be amiss to set down their own words, "that * it was never their meaning to be just tisted, and bind themselves and successors to the prelates, no more than their ancestors had done before them." A resolution ever worthy to be remember'd and sollow'd by all succeeding parliaments.

I took notice in the last reign, that the continued oppressions of the Pope, notwithstanding the repeated resolutions of the king and parliament against them, must have been owing to the connivance of the clergy: the following instance under Richard is a further and full confirmation of their backwardness to retrench any of the pretended prerogatives of the see of Rome. "The + arch-bishops " of Canterbury and York for themselves, " and the whole clergy of their provinces, " make their folemn protestation in open " parliament, that they in no wife meant or would affent to any statute or law made " in restraint of the Pope's authority, but " utterly withstood the same."

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^{*} Parl. Roll. 6 Rich. 2. + Parl. Roll. 13 Rich. 2.

The fowfing proftitution of the clergy, (an expression aptly made use of) and their superiour talents in doing with a better grace the very same profligate and flavish jobs, in which the laity have at any time equally concurr'd, is worth observing from a passage in an historian that treats of that reign. When Richard II. had at last by corruption, or putting out such returning officers whose complaisance for his designs he suspected, got a parliament chiefly pack'd up of fuch persons, as he knew would be at his devotion, (the first, if I mistake not, that was openly procured in that manner;) after the fession was open'd by a time-ferving speech of the bishop of Exeter, it was propos'd by the king's ministers, that the acts of grace pass'd nine years before in favour of certain lords, who had opposed the king in his attempts upon the publick * liberty, should be repeal'd. The prelates without any hefitation not only gave their affent, but, by the expression of the historian, seem'd to have used arguments to shew those acts to be revokable: upon which, fays he, the temporal lords feeing the clergy approved of it, gave also their assent, more induc'd to it thro' fear of the king, than any conviction of their minds. Now the' their

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concurrence is absolutely inexcusable; yet the reader, I believe, will agree with me in obferving a manifest difference in their behaviour. For the clergy, no reason is assign'd by the historian, but their forwardness in the affair seems abandon'd like that of men hackney'd in prostitution; the other have the example of the clergy, and the sear of the king mention'd as determining them. And that I may not be thought to have exaggerated this matter, I will give the reader Walfingham's own words.

"Hi importunis clamoribus petierunt ut chartæ perdonationum in primis revocarentur & annullarentur, fuper quibus requifiti prælati de facile indicarunt tales chartas fore revocabiles, non attendentes quod hujus gratiæ revocatio perfonæ regis maxime repugnabat; cum miferecordia fit folii regalis confirmatio, & qui tollit miferecordiam, tollit folii regalis firmamentum. Confequenter domini temporales videntes affenfum cleri, cenfuerunt & ipfi hujus chartas annullandas, magis timore regis dicti, quam mentium ratione."

Glorious pre-eminence of the clergy, even in a parliament compos'd of men cull'd out from amongst the whole people for fervility and corruption!

Henry

Henry IV. a haughty defigning prince, who tho' he ow'd his crown purely to a parliamentary right, yet ever affected to build his claim on other foundations, not only weak, but abfolutely false, was sensible, that he had against him a powerful faction in the kingdom, and that his conduct was such, as could not fail adding to the number of his enemies.

His policy in taking all methods, and being most vigilant to secure the possession of his crown, was the most distinguishing qualification of his genius: and he had too much discernment not to see, how necessary it was for carrying on his ends to have the clergy. firmly in his interest. That body was now become more than ever wealthy, powerful, and infolent. Accordingly, Henry made it a maxim, to do nothing, which might disoblige them, but to take every opportunity of testifying a regard for their interest. He knew by that means, however ill he used his other fubjects, he should still preserve the reputation of a pious prince, zealous for the cause and honour of God, which could not but greatly contribute to baffle any opposition to his measures. The clergy had all along so conniv'd at the pretenfions of the court of Rome, that the endeavours of former parliaments to

put a stop to that abuse prov'd inessectual. The people groan'd for a reformation; therefore, tho' the king was oblig'd at first in compliance with his parliament to revive the statutes of præmunire, yet never was the breach of them more wink'd at, than in this reign. To give the ecclefiafticks a more publick instance of his zeal, Henry at their petition procur'd the bloody act to pass in parliament for the burning, fuch as they should declare hereticks. Immediately the poor Lollards, who had incurr'd their unrelenting difpleasure for broaching doctrines repugnant to their temporal grandeur, are without mercy deliver'd to the flames; and the churches found with the encomiums of a king, who had given fuch unquestionable proof of his piety and zeal.

But a parliament, that met some time after, had not the same complaisance for the clergy. This was that which by way of reproach they have call'd the illiterate parliament, representing them as a set of men chosen according to the king's private letters, merely on account of their ignorance; an error most people since, and amongst the rest a very eminent man in our law *, has been led into. But these letters were in reality writs of summons, in which

which there were directions, in pursuance of a statute made in Edward the IIId's time, excluding all sheriffs and practifing lawyers from being elected: the reason of which was, that such procur'd themselves to be elected merely to serve views of their own, and did not faithfully discharge their duty to their country. Instead therefore of looking upon this parliament in the light, in which it has been represented, we are to consider it as compos'd of honest, disinterested country gentlemen, who, having no private views to serve, came up fraught with the sentiments of those they represented, who impatiently wish'd to see themselves freed from the ecclesiastical yoke.

Accordingly, when the king, laying his necessities before them, demanded an aid, they remonstrated the hardship of burthening his subjects with further taxes, when at the same time the clergy contributed nothing to the necessities of the state, tho' posses'd of the third part of all the lands in the kingdom; wallowing, to the neglect of their duty, in luxury and idleness: that therefore it was their desire that his wants should be supply'd out of the ecclesiastical revenues, as not only just, and agreeable to the sentiments of the people, but in the main of real service to the church itself.

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We may eafily imagine, what treatment a proposition of this kind met with from the clergy. The * arch-bishop of Canterbury, who was present, could not forbear treating the commons in the most arrogant and infolent manner: he even told them in a menacing way, no attempt of that fort should be offer'd the church without impunity; and that it should be at their peril if they seized any of its revenues; that for his part he would sooner lose his life than see it depriv'd of them.

The king in pursuance of the maxim, he had laid down, to keep well with the clergy, took this opportunity to assure the arch-bishop of his resolution to maintain the church in its full possessions, and of his desire rather to increase than diminish its splendour. The commons, not intimidated by the threats of any dignify'd church-man, went on and prepar'd a bill for supplying the king's necessities out of the revenues of the church; but when the bill came to the lords, they refus'd their concurrence, thro' the cabals of the bishops, who had gain'd a confiderable party in that house, for having opposed the commons not long before in a laudable defigr, they had, of supplying the king's wants, by a revocation of several lands alienated from the crown by grants in the late reign, and squander'd upon favourites, to the great impoverishing of the crown, and burthening the people; which revocation would greatly have affected several peers, who at that time were in possession of such lands. Here we see the bishops opposers in general of every step taken for the ease of the subject, and treating the representative body of the whole people in parliament with insolence, ill language, and threats for the attempt.

Tho' the commons were disappointed this time in their defign, yet the grievance was too generally felt, and a redress too much defir'd by the people for them to fit down difmay'd at this repulse. In a parliament affembled some time after they renew'd their former instances in regard to the clergy's revenues, the consequences also of the statute against the Lollards obtain'd by influence and cabal were now known to be fo terrible, that they likewise destr'd a repeal of it; at least, an amendment. As to their first instances, they set forth, that the king might eafily feize out of the revenues of the ecclefiasticks, what would be sufficient to provide in a most ample manner for fifteen earls, fifteen hundred knights, fix thousand two hundred esquires, and a hun-

dred hospitals. But they had the mortification to have their remonstrances meet with no better fuccess with the king, who was now more than ever confirm'd in his resolution of being well with the church. Therefore he not only refus'd his affent, but did it in a most arbitrary manner, forbidding them for the future to. prefume to meddle with fuch affairs *; and as for the statutes against the Lollards, he was fo far from allowing any mitigation, that he faid, he could wish they were made more rigorous. To please the ecclesiasticks still further with an open affront upon the commons, he affected at that time to fign a warrant for the burning of a poor Lollard, who fuffer'd death with great resolution.

If the parliament (as Rapin fays) that first moved the lessening the clergy's revenues was stilled unlearn'd, it may well be supposed this met with no better treatment. The names of lollard and heretick were plentifully bestow'd: they were set forth as a set of men who were for the destruction of religion itself. They were however so sensible of their ill usage, that upon the king's demanding a power to levy a subsidy during life, tho' the parliament should not sit, they boldly resus'd it him.

The commons would also have deny'd him a supply

fupply for his present occasions, since he had not thought proper to receive it by the methods, they propos'd, had not the king forc'd them to a compliance by the same arbitrary manner, he had fucceeded in once before; that was, by keeping them fitting, till the inconvenience of not being difinifs'd oblig'd them to confentto his demands: a most remarkable abuse of prerogative, and tending to destroy all freedom in their resolutions! But notwithstanding this, he had done enough in this meeting to be look'd upon as the champion of religion, and darling of its priests. We find him cry'd up by them as a prince endued with mildness, piety, and every virtue; tho' whoever will carefully look into that reign, will find his conduct perfectly tyrannical, and most ungrateful in a prince, who had no other title to his crown than the good-will of the people, and free gift of parliament, whose rights he ever try'd to subvert. To conclude therefore with Mr. Rapin's observation on this reign: "When I confider (fays he) the ex-"ceffive commendations bestow'd on that " prince, I cannot help fuspecting, that the "glory of being the first burner of here-"ticks, and of protecting the clergy against "the attempts of the house of commons, were the main fprings of all their enco-" miums.

" miums. It is well known, the ecclefianticks are as zealous in praifing their benefactors,

"as in blackening their oppofers."

No fooner was Henry IV. dead, than the clergy determin'd to fecure themselves for the future against all attempts to lessen their revenues, by taking advantage of the complaifance, that is usually met with from young princes in the beginning of their reigns. They did not doubt, but fuch attempts had been greatly promoted by the doctrine of the Lollards. Therefore as those principles were countenanc'd by feveral men of the greatest rank, and highest esteem of any in the kingdom, they refolv'd to lay the ax to the root of the tree, and by boldly attacking the patrons of the fect, deter all others from prefuming to advance any propositions; which they should difapprove of, that might render them liable to be suspected of Wicklissite principles. In purfuance of this resolution the arch-bishop of Canterbury waited on the king, and reprefented to him the great growth of herefy, which could not fail drawing down the wrath of heaven on the kingdom; and the glory it would be to a young monarch to begin his reign with engaging in the cause of God, by defending the church from hereticks, for which heaven would certainly crown all his undertakings

takings with success. Thus said Nestorius once to the younger Theodosius; "Give me, "O emperor, the earth weeded from here"ticks, and I in my turn will give you hea"ven; destroy with me the heretick, and I "will destroy the Persian with you." The arch-bishop then inform'd him, that Sir John Oldcastle baron of Cobham, a domestick of his own, was the most open abetter of the doctrine of the Lollards *; and therefore he desir'd, he might be allow'd to proceed against him with the utmost severity and rigour.

The king answer'd him in such a manner, as shew'd, he was far from approving of force for reclaiming people from errors in religion; but however told him, that if he could not by talking to Sir John Oldcastle restore him to the right way, he would then give leave for a process against him.

This lord was a man the most esteem'd of any in the kingdom, and particularly dear to the king, as Walsingham the monk owns, for his consummate probity. Notwithstanding, the king finding him unmoveable as to his opinions, no longer oppos'd the clergy's request, and he was accordingly condemn'd to be burnt,

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tho' for some time he avoided suffering the

fentence by an escape out of prison.

The king in his discourse with the archbishop had discover'd too much moderation in his opinions for the clergy to be able to have their full defire upon their enemies, efpecially as he did not feem very follicitous to have Oldcastle retaken. It was their interest (fays Rapin) that the king should have other fentiments more agreeable to the barbarous zeal, with which ecclefiafticks are generally animated. In order thereto they represented the Lollards as men, that not only fought the destruction of the establish'd church and religion, but even of the king's person and state itself. To confirm him in such a belief, they father'd upon them a more absurd and senseless plot, than ever was invented by the most profligate delatores employ'd by the cruellest of the Roman emperors for such purposes. The poor Lollards, fince a * proclamation, the king had made to suppress their assemblies, had continued their meetings with great fecrecy in woods, and other unfrequented places in the country for the worship of God in their own manner. Upon these occasions fome of them chose St. Giles's fields near London, where they thought to be conceal'd by bushes.

^{*} Rapin vol. 1. p. 507.

bushes, and shrubs, that grew there: but being difcover'd by the clergy, the king was immediately told, that Oldcastle at the head of twenty thousand Lollards were in the fields, with a defign to kill the king and his brothers, and all the lords spiritual and temporal, who were not their friends. Alarm'd at this information, Henry, who was at Eltham, immediately march'd to London to attack this powerful body of conspirators. He arriv'd about midnight, and finding about fourscore perions, fell upon them, and kill'd about twenty, and took most of the rest prisoners. The poor wretches, knowing how liable they were to the infults of their perfecutors, had unfortunately brought arms with them, which probably ferv'd as a pretence to convince the king of the defign; and that their accusation might have the greater weight, means were found by threats or promifes to prevail with fome to confess the fact, tho' the absurdity was unfurmountable to every confidering man. For instead of twenty thousand to execute so great a defign, there were only a few mean people with none of great rank; and as for Oldcastle himself, he was not present. But it feems the clergy gain'd a great point by it in rendering the Lollards odious to the king, and obtaining a vast price to be set on Oldcastle's head, who was soon after taken, and fell a facrifice to their malice and cruelty. The whole behaviour of Henry towards this great man gives us no advantageous idea of the integrity of that prince, fince he acted intirely in opposition to his own declar'd fentiments, and sacrific'd a man, he had the greatest esteem for; to which he could have no other motive than to gain the clergy to his interest, and to prevent from them any interruption in the ambitious projects, he was probably at that time meditating. As to the pretended conspiracy, he had too much fense really to credit it, the abfurdity of which, if not at first, yet he certainly foon after must have been convinc'd of, tho' he had never the ingenuity to own it, or act accordingly. Sir Robert Cotton, in his abridgment of the parliament-rolls, speaking of the parliament that met at this time, in which the Lollards were fo perfecuted, makes this remark. "The clergy, at this their own " parliament, cease not to rage and roar af-"ter christian blood, tanquam leones ru-" gientes; and whosoever did the fault, they " put John Porter in the Stocks, and cried " crucify Christ, and deliver us Barrabas; for " now all horrible mischiefs whatsoever were " imputed to the poor Lollards."

Bishop

Bishop * Burnet in his history of the reformation tells us, the disingenuous and inhuman way, the clergy had, of dealing with the Lollards: "which was in their proceedings against them always to mix some capital errors, which all christians rejected, with those, for which they accus'd them; and some particulars being prov'd, they gave it out, that they were guilty of them all, to represent them the more odious," of which he gives us some exexamples.

It was not the Lollards alone that in this reign were convinc'd of the necessity of lessening the revenues of the church: for a parliament, that agreed to the severest statutes against those miserable people, shew'd the greatest earnestness for reducing the clergy within proper bounds.

It was an artifice of the clergy at that time to confound every body, that oppos'd their temporal grandeur, under the general name of Lollards, and to render them and their defigns odious represented them as acting from heretical principles; in the same manner as in a latter reign every man, that discover'd any zeal for liberty against the arbitrary designs of the court and church, was branded with the name of puritan. And in this I have the concur-

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rence of the learned author last mention'd, who tells us, that "when * the clergy had "their authority fortify'd with such severe laws, they became more cruel and insolent than ever. And if any man deny'd them any part of that respect, or of those advantages, to which they pretended, he was presently brought under the suspicion of heresy, and vex'd with imprisonments, and articles "were brought against him."

But the parliament, I just now spoke of, were so apprehensive of this artifice, that they agreed to every proposal of the clergy for the extirpation of what was then call'd herefy; fo that all the pulpits in the kingdom founded their praises. Therefore, when the commons presented an address for seizing their revenues, they were thunder-struck. There was no having recourse to their usual method of representing as Lollards, whomsoever they disliked; fo that they had no way of diverting the impending danger, but by animating the young king to a war with France, and in order to carry it on, to compound for the refignation of the alien priories. Tho' of all the numerous and bloody wars, the clergy have engaged the world in, they may be faid to have the best excuse for this; yet I cannot think the

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arch-bishop's speech on the occasion quite agreeable with the peace-making character of a christian divine, howsoever it might have appear'd from the mouth of an enterprizing statesman.

From this time to that of Henry VIII. the kingdom was fo much engaged in other * matters, that we have few or no accounts of the proceedings of ecclefiafticks worth taking up the reader's time. It is probable they would have made great advantages from the weakness of Henry VI. had not so many troubles at court, the war with France, and the misfortunes of this reign prevented any attention to church-affairs. The fame reasons for the most part subsisted in the following reigns, which were also taken up with domestick troubles. As for Henry VII. his whole thoughts were fo employ'd in maintaining a quiet possession of the crown, of which he was beyond measure jealous, and on hoarding up money, that he avoided all occasions of such disputes, which might have given disturbance to either.

During the first eighteen years of his reign, king Henry VIII. was a most faithful son of the see of Rome, as the learned author of the history of the reformation tells us, except in one matter only, which seem'd to lessen the

greatness of the clergy. As this one affair was of very great importance, and will serve fully to set forth the temper of the clergy at this time, and also furnishes us with a most flagrant instance of the power they had assum'd, and their most pernicious and insolent abuse of that power; I will give the reader as short an account of it, as possible, from bishop Burnet, especially, as during the course of this affair a scene of cruelties came to light towards a person, who had offended the ecclesiasticks, which were nothing inferiour to those of the most inhuman tyrants.

In the fourth * year of this reign it was enacted in parliament, that all murderers and robbers should be deny'd the benefit of clergy. Tho' the reasonableness of this law, one would have thought, was sufficient to make it pass, vet to take off all objections there was added, that all fuch as were within the holy orders of bishop, priest, or deacon, should be excepted; and it was also to continue in force only till the next parliament. Tho' this gave the greatest satisfaction to the people, the clergy were fo offended, that the most inferiour perfons, who were any way related to the church, should be proceeded against by the laity, that the act by their opposition was suffer'd to determine

^{*} Hist. of the refor. vol. 1. p. 13.

determine next parliament. But see the effects of an ill-judged compliance with whatfoever that body of men shall at any time be pleas'd to call their privileges: they were not fatisfy'd, that it was fuffer'd to expire, but with great audaciousness resolv'd to fix a publick censure on this act of the legislature. Accordingly the abbot of Winchelcomb openly preach'd against it at St. Paul's cross.

As this could not fail making a noise, the temporal lords and house of commons concurr'd in petitioning the king to suppress the growing infolence of the clergy. Upon this a hearing was appointed before the king with all the judges and his temporal council. It will be too tedious to infert here the particulars of the dispute, which are to be seen in the history of the reformation: but in short, Dr. Standish, who was ecclesiastical council for the king, maintain'd his arguments against the immunities of the church with fo much reason, and so clearly confuted the affertions of the abbot, that all the laity present were fo confirm'd in their former opinions, that the bishops were moved to order the abbot to make a recantation of his fermon in the place, where he had preach'd it: but they all flatly refus'd to do it, and openly justify'd the affertions of the abbot in every point. As this was fol-- H IN THE

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low'd by very great heats in parliament, an affair, that fell out just after, made the matter to be prosecuted still more warmly the Michaelmas term following.

One Richard Hunne, a merchant-taylor in London, was fued in the ecclefiastical court by a Middlesex clerk for refusing a mortuary, which the clerk pretended was due to him on account of a child of Hunne's, that had died five weeks old. As this spiritual court fat by the legate's authority, therefore was a foreign court, Hunne was advis'd to fue the clerk in a præmunire. The clergy were touch'd to the quick at this, and used all their arts to fasten heresy on Hunne; and having found Wickliffe's bible in his cuftody, he was taken up, and put in the Lollards tower at St. Paul's, and had feveral articles of herefy objected to him by the bithop of London. On his examination he deny'd them in the manner charg'd upon him; but own'd he had faid fome things, which might feem to tend that way, for which he was forry, and ask'd God's pardon, and submitted to the bishop's correction. For this, favs our author, he should have been enjoin'd penance, and fet at liberty. But as he still continued his suit in the king's court, he was used in a barbarous manner; for foon after he was found hang'd in the chamber, where he was prisoner. This was given out to be done by himself; but when the coroner held his inquest on the body, so many circumstances appear'd, that made it undeniably evident, he was murder'd; upon which the dead body was acquitted, and the murder charg'd upon the officers of the prison; and by other proofs, they found the bishop's summer and bell-ringer guilty of it; and by the deposition of the summer himself it appear'd, that Dr. Horsey, the bishop of London's chancellor, and he, and the bell-ringer did murder him, and then hang him up.

At the same time the bishop begun a new process against Hunne for herefy; of which being found guilty, he was deliver'd over to the fecular power to be burnt, which was accordingly done in Smithfield. When judgment was given, the bishops of Durham and Lincoln, with many doctors both of divinity and canon-law fat with the bishop of London; so that this (fays our Author) was look'd on as an act of the whole clergy, and done by common confent. The intent of this was to stifle all enquiry about the murder; for it was suppos'd that when once the deceas'd had been declar'd a heretick, no man would be fo bold as to appear for him. But it fell out quite otherwise. The city of London was en-

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raged to the greatest degree at the cruelty of the clergy, and made it a common cause. That a poor fellow for suing a clerk according to law, should be long imprison'd, and at last murder'd, and the reproach of it cast upon himself to defame him, and ruin his family; and then to burn the dead body that had been so used; was thought such a complication of cruelties, as few Barbarians had ever been guilty of.

So that notwithstanding the very great pains taken to stop the proceedings, and the endeavours of the cardinal to forbid their going on, the thing was so foul and evident, that they were inessectual: and the tryal went on, and the chancellor and summer were indicted as principals in the murder. Hunne's children

were also restor'd in parliament.

The convocation, which was now fetting, finding all this ftir made, refolv'd to call Dr. Standish to an account; whose arguments in the affair before mention'd they thought greatly to have contributed in raising this flame. When he was first summon'd, some articles were objected to him by word of mouth concerning the judging of clerks in civil courts; but the next day a bill was deliver'd to him in writing, to which a day was appointed for his answer.

Standish

Standish finding they were determin'd to oppress him, begg'd the king's protection for what he had done only in discharge of his duty, as his counsel: but the clergy pretended to the king, that it was for fomewhat he had faid in his lectures, which he had read at St. Paul's, and therefore begg'd him to maintain the rights of the church. On the other hand the temporal lords and house of commons address'd the king to maintain the temporal jurisdiction, and protect Standish from the malice of his enemies. Upon this the king appointed the matter to be argued at Black-fryars, where he order'd his council spiritual and temporal, all the judges, and fome of both houses to be present. I shall not relate the arguments on both fides; here but after the debate all the judges gave their opinion, that all those of the convocation, who did award the citation against Standish, were guilty of a præmunire. The court then broke up. But at another meeting foon after, the king having expres'd his opinion in favour of Standish, and that he was refolv'd to maintain the rights of the crown and temporal jurifdiction; the archbishop of Canterbury begg'd the matter might be so long respited, till they could get an anfwer from the court of Rome, and they would then conform themselves to the laws of the land

land in whatever was confistent with the law of God. To this the king made no answer then, but upon his command Standish was foon after dismiss'd out of the court of convocation. And the king, not willing to break off with the clergy about Hunne's affair, came to this expedient, that Dr. Horsey, who had abfconded in the arch-bishop's house, tho' it was pretended he was prisoner there, since warrants had been out to apprehend him, should render himself prisoner in the king's bench; where, upon his pleading not guilty, the attorney-general should acknowledge it, and withdraw the indictment; the king thinking he had maintain'd his prerogative, by bringing him to the bar.

Thus ended this great affair, which tho' far from giving the people in general fatisfaction, as they thought justice had not been done against the criminals; yet it made the pretensions of church-men appear very weak, and gave all men such a detestation of their conduct, as dispos'd the publick to be well pleas'd with the alterations, that follow'd in this reign, and every attempt towards reducing their power.

It cannot be suppos'd, that a clergy with this disposition would countenance any reformation, which at all lessen'd their riches or power; accordingly

accordingly this, which follow'd in the prefent reign, was entirely against the will of the greatest part of them. It has been justly obferv'd, there was never any reformation, but the clergy was against. Indeed what was done in this reign was more properly a few steps towards a reformation, than the thing itfelf: and tho' outwardly most of them paid a submission to the king's will in the alterations then made, yet at the same time we find them using all their artifices to prevent their being carry'd on to fuch a length, as should render the breach with Rome irreparable. With those views, when they had brought themselves to own the supremacy, yet they still endeavour'd to cherish in the king a regard for the most absurd doctrines of the Roman church. And left the few steps, the king had taken towards a reformation, might encourage the followers of Luther to be more open in promulging their opinions, the greatest arts were used to make the king discourage them; and therefore we find persecution never raged with greater violence and injustice, than under this reforming monarch.

For the fame reason, and in order to make the clergy less sensible of the absurdity of several doctrines of the church, and of the implicit and fervile obedience claim'd by it they

they endeavour'd to suppress the translation of the bible in this reign; for it was their maxim, to use the laity, as Herodotus tells, us the Scythians did their slaves, which was to deprive them of their eyes, that they might churn their master's milk with more attention.

Therefore whatever merit there was in accomplishing the reformation, the clergy have no pretence to any part of it; and the few of them, that really and with fincerity labour'd to bring it about, of whom bishop Cranmer was at the head, were a very inconsiderable number in respect to that whole body.

And fince I have mention'd that great man, upon whose character such encomiums have been made, I must here own my opinion, that if we consider with attention his whole conduct, we shall find some parts of it, which cannot fail very much to lessen those ideas, we are at first apt to conceive of him.

It is far from my intention to derogate from the merit of a man fo much celebrated, by making no allowances for the frailties of human nature, from which it would be unreafonable to expect, that he or any man whatever should be exempt by the fanctity of his profession: and as such, I am very willing to consider his recantation in the latter part of his life; and whatever other slips he might have

have been guilty of, which may be allow'd to be consequences of human frailty, are readily to be excus'd, provided they are mere frailties: but we cannot consider in that light some of his actions. The protestation, he made at his consecration *, when he took his oath to the Pope; was a deliberate act; and however agreeable it might have been to the maxims of canonists † and casuists at that time, was very unsuitable to the integrity of his character.

The taking of oaths with referv'd meanings and particular explications, can have no other tendency than to deftroy all faith amongft men. And it was formerly observable, that the clergy in general too much countenanc'd the taking of oaths with mental refervations; tho' in justice to the present clergy, surely it must be own'd, they never allow of any private explications in what they subscribe as necessary to qualify them for their holy function, or on any other occasion.

His

^{*} Hist. of the refor. vol. 1. p. 129.

† In how different a light were oaths consider d by the ancient heathens, when at Athens one of their greatest tragedians brought upon himself the highest indignation of his audience, by putting into the mouth of a worthy character, a sentiment agreeable to the behaviour of this great and pious divine.

^{&#}x27;Η γλωσσ' όμωμοχ', ή δε Φεην άνώμοτ. My tongue has sworn, but not my mind.

His compliance, as well as that of the whole convocation, with the king's will, in annulling the marriage with Anne of Cleves, is extremely unjustifiable, and not to be excused by the fear of incurring the king's displeasure; which, if allowed, will equally justify the worst actions committed at the commands of the most unjust tyrants. The author of the history of the reformation fays, "this * was " the greatest piece of compliance that ever " the king had from his clergy: for as they " all knew there was nothing of weight in " that pre-contract, fo they laid down a most " pernicious precedent for invalidating all pub-" lick treaties and agreements; fince if one " of the parties being unwilling to it, fo that " his consent was not inward, he was not " bound by it, there was no fafety among " men more."

And again, "for that argument, that was "taken from the want of confummation, "they had forgotten what was pleaded on the king's behalf ten years before, that confent without confummation made a marriage compleat.—But as the king was refolv'd on any terms to get rid of the queen, fo the clergy were also resolv'd not to incur his displeasure; in which they rather "fought

" fought for reasons to give some colour to their sentence, than pass'd their judgment upon the strength of them."

But what alone is fufficient to destroy the great veneration for Cranmer, is the treatment fome Anabaptists met with in the succeeding reign. As that young prince Edward VI. was entirely under the direction of protestant bishops, we might expect to see religion put on a much more amiable face, when its chief reformers were now no longer obstructed by that great restraint and submission, to which they were subjected, by the imperious will of the late king. We might expect to see the clergy recommending the protestant religion by the reasonableness of its doctrines, by gentleness, moderation, and difinterestedness in its teachers, and by the reverse of a behaviour so much complain'd of in the popish church. But alas! we shall soon find ourselves mistaken in those pleasing hopes. The sword of perfecution had only chang'd hands, and an implicit compliance with the present clergy, was likely to be as much claim'd, as ever it had been by the church of Rome. The young king, in whose disposition good-nature was as prevalent as his good fense, was shock'd at this unexpected behaviour in the protestant clergy; and being press'd to sign a warrant

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for the burning a poor frantick Anabaptist woman, could not at first be prevailed with to do it, "but * thought it a cruelty too like that they had condemned in papists, to burn any for their consciences." And when at last by the sophistical arguments of good bishop Cranmer, he was rather silenced in his objections, than satisfy'd in his compliance, "he fet his hand to the warrant with tears in his eyes, saying to Cranmer, that if he did wrong, since it was in submission to his authority, he should answer for it before God."

It is plain from hence, that perfecution for opinions in religion was never difliked by our clergy, and we might probably have feen it at as great a height in this, as in the fucceeding reign, had it not been extremely impolitick to furnish the vast number of enemies, the reformation then had in the kingdom, with the power of retorting the same objection against the protestant religion, that had been so successfully urged against popery. Indeed it is pretty extraordinary, their policy should suffer the clergy to give those open proofs of their disposition which they then did: but it is at the same time a very powerful argument of that disposition, since neither policy, which gene-

* Hist. of the refor. vol. 2. p. 112.

generally much governs ecclesiasticks, nor the consideration of what they themselves had so lately felt, could prevail on them entirely to suppress it, even in those early days of their power. And tho' the legislature has wisely thought sit to pare their talons since; yet in some later reigns, when any of our princes have thro' weakness or ill designs countenanc'd their usurp'd power, we find it employ'd with no less severity than formerly against all, that seem'd to disapprove of it; and tho' they could not extend it against the lives of such, yet they have done it to the greatest degree against the liberty of their persons, their characters, and fortunes.

The fucceeding reign of Queen Mary, in which the church of Rome was again uppermost, is an instance of the miseries of a state govern'd by a woman, over whose passions bigotry, and a salse zeal for religion had the whole ascendant. She deliver'd herself up to her confessor, " and * was as much addicted " to the humours and interests of the clergy, " as they could wish." The interest of the state was entirely neglected. Calais, which had been for ages maintain'd, and was the last monument of our former victories in France, acquir'd at the expence of so much blood

blood and treasure, was now lost: and as this properly may be consider'd as a reign of priests, we never find one more mean and contemptible.

The reformation, which was re-establish'd under Q. Elizabeth, met with the same opposition from the majority of the clergy, that it had formerly. It would be foreign to the defign of these few sheets, to enter into an account of the particular steps taken in that affair; but it was observable, the clergy for the most part made it a maxim to give what opposition they could to the reformation: but as foon as any steps towards it were settled by parliamentary authority, they chose to reconcile them to their consciences notwithstanding * the disapprobation, they had express'd, rather than quit their preferments. But tho' the reform'd religion may from this reign be faid to be perfectly fettled in the kingdom, we shall be very much deceiv'd, if we expect to find any great amendment in its clergy. We shall soon perceive much of the old leaven still remaining. The same pursuit of wealth, power, and independency was still resolv'd upon: but as all changes in government produce the fame in politicks, so their schemes for the accomplishment of their defigns were

to be a little alter'd; and this like subtle politicians they did not fail to do.

It now became more necessary than formerly for the clergy to pay their court to temporal princes. In order thereto, we shall find them devising new doctrines pernicious to the happiness and liberty of mankind, and from being the janizaries of the papacy, as they are aptly stil'd by a great author, become those of arbitrary power, as we shall fully see them in the following reign. And the event has prov'd the prophecy, in a letter imputed to the famous Machiavel, but too true, where speaking of the miseries brought upon mankind, and the corruption of religion by the ecclefiafticks, which call'd for a thorough reformation, we find these words: "*I would not be understood to disfuade " any from honouring true apostolical teach-" ers, when they shall be establish'd amongst " us, and from allowing them (even of right, " and not of alms or courtefy) fuch emolu-" ments, as may enable them chearfully to per_ " form the duties of their charge, to provide " for their children, and even to use hospi-" tality, as they are commanded by St. Paul. "But this I will prophefy, that if princes shall perform this business (meaning a re-" formation) by halves, and leave any root

^{*} Mach. English tran. p. 541.

"of this clergy or priest-crast, as it now is amongst us; or if that samous resormer sted fome years since out of Picardy to Geneva, who is of so great renown for learning and parts, shall not in his model wholly extirpate this sort of men: then, I say, I must foretell, that as well the magistrate, as this workman will find themselves deceived in their expectation, and that the least sibra of this plant will over-run again the whole vineyard of the Lord, and turn to a diffusive papacy in every diocese, perhaps in every parish."

Whoever impartially confiders the reign of James I. cannot but discover, that the arbitrary notions which that weak and self-sufficient prince had got into his head, were greatly promoted by the discourses and excessive flattery of the clergy: and it was from those principles, all the miseries, this kingdom soon afterwards felt, have entirely proceeded.

The doctrine of unlimited passive obedience to princes is a plant purely of protestant growth; I mean, of protestant priest-crast: or at least if it had ever a being before in the brain of any enthusiastical or interested priest, the clergy of the reform'd church of England may claim the sole honour of having cherish'd, and brought it to perfection.

How much foever the clergy had hitherto contributed towards the oppressions of the people, yet we never find they had the impudence to maintain, it was a part of religion and their duty to submit to them, till these times, I am speaking of.

The first use, they made, of this disposition in K. James, was to render the puritans more obnoxious to him; towards whom already he was far from being well inclin'd, tho' he had formerly declar'd quite the contrary in Scotland. Their different opinions in regard to the hierarchy render'd them extremely odious to the bishops, and they dreaded the growth of their opinions more than those of popery itself, as appears by their conduct throughout this reign. The bishops therefore reprefented the puritans as men, whose principles were destructive to monarchy no less, than to the government of the church by bishops; a charge, that could not fail confirming a prince of his fentiments in his aversion towards them.

In a conference * appointed at this time for form's fake between the bishops and puritan ministers the arch-bishop of Canterbury (a moderate man reckon'd, as times went) did not scruple to make use of an expression of flattery

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^{*} Rapin vol. 2, p. 162.

to the king fo high-strain'd, as to be almost blasphemous; for, upon the king's replying himself to the objections of the ministers, he cry'd out, he very believ'd it was by the spirit of God, the king spoke what he then did.

But it was not by words alone, that the bishops flatter'd the king, and shew'd their approbation of his arbitrary principles. Archbishop Bancroft, like a true high-flying churchman, was refolved to lead the way in an attempt to make the laws depend on the fole will of the king. He * therefore in the name of all the clergy exhibited to the king in council articles containing twenty five pretended grievances, which he defired might be reform'd in granting prohibitions from the civil courts. The arch-bishop could not but know, that in fuch cases the judges acted according to the fix'd laws of the land; and that if there was any hardship in their proceedings, they could not be reform'd but by authority of parliament. But the arch-bishop's drift in this conduct was to point out a method to others of applying immediately to the king, without regarding the parliament, in things, that were undeniably within their jurisdiction; which opportunity, he imagin'd, king James would readily have embrac'd, by which

^{*} See Coke's articuli cleri, 2d Inft.

which also the clergy would have gain'd a point, they could not have expected from the justice and wisdom of the whole legislature. It is not improbable but the king might have been gain'd to their cause, had it not been for the unanimous and strenuous opposition of the judges, who represented the illegality of the arch-bishop's request, and the dangerous consequences, that might happen from it.

Soon afterwards two books were publickly licensed; the one wrote by Dr. Cowel, professor of civil law at Cambridge, and vicargeneral to arch-bishop Bancroft; the other by one Dr. Blackwood, a clergyman, in which were passages in favour of the most extravagant maxims of arbitrary * power. The first laid down these three principles.

1st, That the king was not bound by laws, or his coronation-oath.

adly, That the king was not obliged to call a parliament to make laws, but might do it alone by his abfolute power.

3dly, That it was a great favour to admit the confent of the subjects in giving subfidies.

These principles were so gross, that even the king found himself obliged to forbid the reading those books, by proclamation, in order 1157/14/12

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^{*} Rapin vol. 2, p. 176-

to prevent the justice of parliament upon the authors.

thors.

The successor of the arch-bishop just mention'd indeed prov'd a man of more moderation in his principles, than is usually met with in church-men: but as fuch a temper made him unfit for promoting the defigns of his brethren, we find him always hated and branded by them. He could not approve of the rigour used to diffenting protestants at the fame time, that the Roman catholicks were openly tolerated by the king, and wink'd at by the clergy contrary to the declared laws of the realm: his * letter to the king on this occasion, and the freedom, he uses, in condemning the dispensing by proclamation with the establish'd laws, will ever redound to his honour; notwithstanding the persecution and ill usage, he met with from his brethren, who strove to represent him as a puritan; a name at this time indifcriminately made use of, not only towards the presbyterians, but likewise towards all fuch, who did not approve of the notions countenanc'd by the king, and propagated by the clergy, nay even towards those, who express'd any dislike of the libertinism, or fashionable vices of the age.

As the fruit of the feeds fown in this reign came to their full maturity in the following

^{*} Rushw. vol. 1. p. 85. one,

one, I will dwell no longer on this than just to observe, that if the reader pleases to see a specimen of true priestly panegyrick carry'd on to the most ridiculous and sulfome extravagance, he may meet with it in an extract of the sermon preach'd at king James's suneral, printed in * Rushworth.

Under Charles I. the spirit of our churchmen display'd itself without reserve in its most lively colours, and stript of all disguise whatfoever. By their means England was on the brink of being enflaved by the king, and clergy at the same time. The views, the church had, manifestly appear'd as early as the coronation of the king. The form of that ceremony was compiled chiefly by bishop Laud, who officiated as dean of Westminster in the room of bishop Williams lately fallen into displeafure, and therefore suspended from that office. I will not trouble the reader with feveral fuperstitious innovations introduc'd into the ceremony, which could not but give offence; but will fet down one paffage, which fufficiently shews the schemes, the church had form'd:

After the coronation was perform'd, and the king conducted by the nobility to the throne, this remarkable, and unprecedented passage was read to him.

^{*} Vol. 1. p. 160.

"Stand * and hold fast from henceforth the place, to which you have been heir by the fuccession of your fore-fathers, being now deliver'd to you by authority of almighty God, and by the hands of us, and all the bishops and servants of God: and as you fee the clergy to come nearer the altar than others, so remember that (in all places convenient) you give them greater honour, that the mediator between God and man may establish you in the kingly throne to be a mediator betwixt the clergy and laity, and that you may reign for ever with Jesus Christ, the king of kings, and lord of lords."

As the drift of this speech is obivous to every one, who reads it, I shall only observe what a prospect there was of the clergy's extending their power to the height of their wishes, whenever they should have a prelate at their head (which soon after happen'd) that afferted their superiority on so publick, and solemn an occasion.

Since Laud afterwards made so considerable a figure in this reign, especially in the direction of all ecclesiastical affairs, it may not be improper to mention the account given of him, and his first appearance in the world in the

^{*} Rushrv. vol. 1. p. 200.

the late reign by arch-bishop Abbot his predecessor.

"This man (fays * he) is the only inward counfellor with Buckingham, fitting with

" him fometimes whole hours, and feeding

his humour with malice and spight.

"His life in Oxford was to pick quarrels in the lectures of the publick readers, and to advertise them to the then bishop of

Durham, that he might fill the ears of K.

Images with discontent against the honest

" men, that took pains in their places, and

" fettled the truth, (which he call'd puri-

" tanism) in their auditors.

"He made it his work to see what books were in the press, and to look over epistles

" dedicatory, and prefaces to the reader, to

" fee what faults might be found in them.

"It was an observation, what a sweet man" this was like to be, that the first observable

" act, that he did, was the marrying the earl of D. to the lady R. when it was notorious

"to the world, she had another husband, the

" fame a nobleman, who had divers children

"then living by her."

We shall soon see the clergy did not fail prosecuting their designs with vigour, of which they had made so early a discovery. The

univer-

^{*} Rushw. vol. 1. p. 440,

university of Cambridge in the beginning of this reign, in order to make their court to his majesty, took a publick occasion to offer a notorious affront to the representative body of the whole people, the commons in parliament, by chusing the duke of Buckingham, at that time under an impeachment, for their chancellor. Accordingly we find the commons entertain'd the highest sense of this indignity offer'd them, as appears in their answer to a message of the king's * on this occasion: tho' his majesty's espousing the part of the university prevented their proceeding in a manner, they were otherwise inclin'd to do.

This parliament was no fooner diffolv'd, which happen'd in a fhort time, and the king determin'd to furnish himself with money by loan, and other illegal and oppressive methods, but the pulpits sounded with the doctrine of passive obedience, and compliance with the king's commands without any examination of their lawfulness. Parliaments were now said to be only usurpations upon the unlimited power of sacred majesty, which alone was sufficient to impose laws or taxes on the subject by its own authority. Amongst the several discourses on that head, those of Dr. Sibthorp and Dr. Manwaring were particularly remarkable.

remarkable. The one preach'd at the lent-affizes at Northampton, a fermon entitled apostolical obedience; in which he set forth, "that * the prince who is head, and makes his court and council, it is his duty to di-rect and make laws, Eccles. viii. 3. he doth whatsoever pleases him. Where the word of a king is, there is power, and who may fay unto him, what doest thou?

"If princes command any thing, which "fubjects may not perform, because it is against the laws of God, or of nature, or impossible; yet subjects are bound to undergo the punishment without resistance, railing, or reviling, and so yield a passive obedience, where they cannot exhibit an active one.

"I know no other case, but one of those three, wherein a subject may excuse himself with passive obedience, but in all other he is bound to active obedience.

Dr. Manwaring promoted the same business in two sermons preach'd before the king at Whitehall, where he deliver'd for doctrine to this purpose, "that the king is not bound to "observe the laws of the realm concerning the subjects rights and liberties, but that his "royal will and command in imposing loans and taxes without common consent in par-

L "liament

^{*} Rush. vol. 1. p. 423.

's liament doth oblige the subject's conscience

" on pain of eternal damnation.

" That those, who refus'd to pay this loan,

" offended against the law of God, and the

" king's fupreme authority, and became guilty

" of impiety, difloyalty, and rebellion. And

"that the authority of parliament is not ne-

" ceffary for the raifing of aids and subsidies,

" and that the flow proceedings of fuch great " affemblies were not fitted for the supply of

" the state's urgent necessities, but would ra-

"ther produce fundry impediments to the

" just designs of princes."

For refusing to license the first of these fermons that arch-bishop Abbot was suspended. The fermon was afterwards licens'd by the bishop of London. As for the preachers themselves, they were soon rewarded with confiderable benefices, and Manwaring was even promoted to a bishoprick, tho' he had been fentenc'd by the house of lords to pay a large fine, to make a publick submission, and declar'd incapable of holding any dignity.

It was not discourses of this kind only, that were publickly preach'd, and afterwards encourag'd and licens'd by the bishops; but we find by a petition of the bookfellers and printers to the * parliament in the fourth year of this reign, that books wrote against

^{*} Rushrv. vol. 1. p. 655.

against the fundamentals of the reform'd religion, and in favour of popery were licens'd by Laud, at this time advanc'd to the see of London; while books wrote in defence of the establish'd religion were restrain'd, and of these several instances were produced.

Every one, who is at all vers'd in the hiftory of these times, cannot but have observ'd, that in order to carry church-power as high as possible, the bishops then affected to make the religion of this country approach as near popery, as they could, without actually declaring for it. or allowing the Pope's supremacy. As bishop Laud was the chief promoter of the independent power, they were striving for, and had himself the direction of all ecclesiaftical affairs, it would not have been for his interest to have establish'd any other supremacy, especially after he became arch-bishop of Canterbury; for he then was in a manner himself Pope, and even affected to be call'd his holiness, and most holy father, as he was stil'd by the university of Oxford * in many of their letters and addresses.

Besides the licensing of the books, which I have taken notice of, the many superstitious innovations introduc'd at that time into divine service are notable proofs of the af-

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CONTRACTOR OF THE PARTY AND ADDRESS OF

^{*} Heylin's life of Laud, p. 297.

fectation of popery, the clergy then discover'd; of which the consecration of St. Catherine's church is a very remarkable instance. The reader may see the full account of it in Rushworth or Rapin. The least opposition to any of these things was an unpardonable crime; which we see by the process form'd against Henry Sherfield, recorder of Sarum, for only removing by confent of the vestry some pieces of glass from the church-window, in which there was a ridiculous representation of God painted in the form of an old man, with a pair of compasses: for which high offence the poor * man was fin'd, committed to the fleet, and remov'd from his recordership, and bound to his good behaviour.

The bishops were become so intoxicated with their darling scheme of church-power, which they did not doubt to accomplish, that they set up for inquisitors in their several dioceses, by obliging the church-wardens to turn informers concerning the lives and actions of their parishioners, to which the bishop of Winchester oblig'd them by oath † in his primary visitation, and thereby committed an outrage on the laws of the land, and jurisdiction of parliament, which alone has power to prescribe oaths to the subjects.

Nor

^{*} Rushw. vol. 1. p. 153. + Ibid. vol. 2. p. 186.

Nor can these attempts of the clergy in this reign be said to be only the actions of particular men, and therefore not chargeable upon the whole; the contrary to this appears in that, after the parliament of 1640 was disfolv'd, the convocation, in which the whole clergy were represented, continued to sit notwithstanding, contrary to the usual method; and by their own authority took upon them to make canons, and enjoin an oath, which all graduates and clergymen in the universities should be obliged to take; they also granted the king a subsidy, a most publick and avow'd encroachment on the jurisdiction of parliament.

These proceedings were so notorious, that my lord Clarendon cannot help condemning them, tho' he does it with his usual tenderness for the cause, in which he wrote. "* The "convocation (says he) the regular and legal affembly of the clergy, customarily beginning and ending with parliaments, was affer the determination of the last, by a new "writ continued, and sat for the space of above a month under the proper title of a "synod: made canons, which it was thought it might do, and gave subsidies out of parsilament, and enjoin'd oaths, which certainly "it

" it might not do. In a word, did many " things, which in the best of times might " have been question'd, and were fure to be " condemn'd in the worst." But as impudent as this conduct feems to be, it was not at all furprizing, fince the bishops had some time before not scrupled publickly to declare their independency on the state in defiance of the laws of the land, and the principles, thereby establish'd at the reformation, and in violation of their oath of supremacy. And this was done, as Whitlock informs us, in the highcommission court, at the time that Bastwick appear'd there, and was fo feverely punish'd for writing a book in answer to one Short, a papist, who had maintain'd the Pope's supremacy. The author just mention'd relates it thus: "* In the censure of Bastwick all the " bishops then present deny'd openly, that " they had their jurisdiction, as bishops, from " the king, for which they might have been " censured themselves in king Henry II. and " king Edward III's times.

"But they affirm'd that they had their ju"rifdicton from God alone; which denial of
"the supremacy of the king under God, king

"Henry VIII. would have taken very ill, and it may be, would have corrected them by

[&]quot; it may be, would have corrected the

"his kingly arguments, and regia manu. But
"these bishops publickly disavow'd their de"pendance on the king. And the arch-bishop
"maintain'd the book of Chowney (who had
"wrote a book at this time in defence of the
"church of Rome,) and that the Romish
"church was a true church, and err'd not in
"fundamentals."

The court of high-commission was now become an unsupportable grievance to the subject, not only by a tyrannical exercise of power in ecclefiaftical affairs, but by affuming to itself an universal jurisdiction, by trampling on the laws and the rights of all the civil courts; fo that the subject deprived of his refuge, had no shelter to fly to from injustice and oppression: and for this I chuse to quote lord Clarendon's own words, as I am certain, he cannot be thought to have mifrepresented the matter in disfavour of the clergy. "* Of late (speaking of the high-commission court) " it cannot be denied, that by the great " power of fome bishops at court, it had " much over-flow'd the banks, which should " have contain'd it; not only in meddling with " things that in truth were not within its con-" nusance, but extending their sentences and judgments in matters tryable before them " beyond "-beyond that degree, that was justifiable; and " grew to have so great a contempt of the "common law, and professors of it (which was a fatal unkilfulness in the bishops, who " could never have fuffer'd whilst the com-" mon law had been preserv'd) that prohibi-" tions from the supreme court, which have, " and must have the super-intendancy over " all inferiour courts, were not only neglect-" ed, but the judges reprehended for granting "them (which without perjury they could not deny) and the lawyers discountenanc'd " for moving them (which they were ob-" liged in duty to do) fo that thereby the " clergy made almost a whole profession, if not their enemies, yet very undevoted to " them."

"Then it was grown from an ecclefiaftical court for the reformation of manners, to a court of revenue, and imposed great fines upon those, who were culpable before them, fometimes above the degree of the offence, had the jurisdicton of fining been unquestionable, which it was not. Which course of fining was much more frequent, and the fines heavier, after the king had granted all that revenue (whatsoever it should prove to be) to be employ'd for the reparation of St.

Paul's church; which tho' it were a glo-

"rious work, and worthy the piety of those, that advanc'd it; and the greatness of his mind, who principally intended it, made the grievance the heavier."

In another place the same noble historian speaking of the animosities between the lawyers and churchmen, attributes the hatred on the part of the latter to their opinion, that their not enjoying fo many of the great posts in the civil government as formerly, was owing to the opposition of the lawyers. A true instance of the ambition of priests, which rather than not gratify, they were ready to destroy the laws themselves. " It * cannot " be deny'd (fays lord Clarendon) that the " peevish spirits of some clergymen have ta-" ken great pains to alienate that profession " (meaning the lawyers) from them: and " others as unfkilfully (finding that in former " times, when the religion of the state was a " vital part of its policy, many churchmen were " employ'd eminently in the civil government " of the kingdom) imputed their wanting " those ornaments, their predecessors wore, to sthe power and prevalency of the lawyers, " of whom fome principal men in all times, " they could not but observe to have been "their avow'd enemies: and so believ'd the Araitning "the common law must naturally extend and her charge the jurisdiction of the church. Thence arose their bold and unwarrantable opposing, and protesting against prohibitions and other proceedings at law, on the behalf of the ecclesiastical courts; and the procuring some orders and privileges from the king on behalf of the civil law, as the archibishop of Canterbury prevail'd with the king to direct, that half the masters of chancery flould be always civil lawyers, and to decidare, that no others of what condition whatsoever should serve him as masters of request."

It is well known, that arch-bishop Laud, the principal promoter of all the doctrines advanc'd in this reign, and of the grievances, which flow'd from them, is even at this day the darling of the clergy, and look'd upon as the champion of their rights, and a martyr for the cause of religion. The greatest encomiums have been bestow'd on his memory. And my lord Clarendon in his history sets him forth, as a man of the highest probity, learning, and sense, and seems willing to attribute no other fault to him than a little hastiness in his temper for accomplishing his designs, occasion'd by the servency of his zeal for promoting

moting the cause of religion, and glory of his prince. But in forming a just idea of his character we need be determin'd by nothing but the share, he had, in the transactions of those times; and I will venture to affirm, that my lord Clarendon himself does in some particular passages say enough of Laud to prove, he was far from deferving that amiable and good character, he feems studious to make his reader entertain of him. Whoever reads an historian in the proper manner, that is, with a view of fearching out truth, must form his judgment of things from the matters of fact fet down, and not be fo led away by what the author fays concerning them, and his reflections upon them, as blindly to adopt his fentiments and opinions. And I am confident, that to any reader, who will attend without prejudice to the words of that noble historian just mention'd, Laud must appear of a weak and over-bearing temper, apt to be transported with the highest and most indecent pasfion at mere trifles, unforgiving towards those, who had formerly offended him, constantly introducing innovations in order to establish an independent power in the church, and not ferupulous of using any methods to increase the king's revenues under pretence of promoting the fervice of his fovereign. The first,

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and last particulars of this charge are fo very obvious, that I cannot help fetting down both passages relating to them at length. "* The " sharpness of his language and expressions " was fo natural to him, that he could not debate any thing without commotion, when the argument was not of moment, nor bear contradiction in debate even in council, where all men are equally free, with that patience and temper, that was necessary; of which they, who wish'd him not well, would take advantage, and would therefore contradict him, that he might be transported " with fome indecent passion: which upon a " short recollection he was always forry for, " and most readily and heartily would make acknowledgment."

As to the last particular, his conduct, when in the management of the treasury upon the death of lord Portland is related thus: "Be"ing † obliged to it now by his trust, he enter'd upon it with his natural earnestness
and warmth, making it his principal care
to advance and improve the king's revenue
by all the ways, which were offer'd, and so
hearken'd to all informations and propositions of that kind; and having not had
experience of that kind of people, who

* Val. 1. p. 77. † Ibid. p. 75.

" deal in that traffick, (a confident, senseles, " and, for the most part, a naughty people, " he was fometimes misled by them to think " better of some projects, than they deserv'd: " but then he was so entirely devoted, to what " would be beneficial to the king, that all " propositions and designs, which were for " the profit (only or principally) of particular " persons, how great soever, were opposed, " and stifled in their birth by his power and " authority; which created him enemies e-" nough in the court, and many of ability " to do mischief, who knew well how to " recompense discourtesies, which they al-

" ways call'd injuries. "The revenue of too many of the court " confisted principally in inclosures, and im-" provements of that nature, which he still "opposed passionately, except they were " founded upon law; and then if it would " bring profit to the king, how old and obsolete " foever the law was, he thought he might " justly advise the prosecution: and so he did a little too much countenance the commis-" fion concerning depopulation, which brought "much charge and trouble upon the people, " and was likewise cast upon his account."

We have a remarkable inftance in this reign, how excellent casuists the clergy are, and

what a notable knack they have of distinguishing in cases of conscience suitably to the shape and conveniency of the times. When king Charles, being press'd to pass the bill for attainting the earl of Strafford, discover'd great unwillingness to give his consent to what, he said, his conscience told him was so unjust; he was defir'd by his council to confer with his bishops on that point. Accordingly " * the " arch-bishop of York, who was at hand to " his argument of conscience, told him there " was a publick, and a private conscience:. " that his publick conscience, as a king, might " not only difpense with, but oblige him to "do that, which was against his private con-" fcience, as a man."

Were I to give a full account, and all the particular instances of the mischievous conduct and behaviour of the clergy in these times, it would be taking upon me to write a history of the reign, which is very foreign from my design: for in short, all the troubles in this reign are in the greatest measure to be set down to their account. All the innovations in church and state, all the attempts to erect an independency in the first, and a tyranny in the latter, were countenanc'd by their doctrine, and promoted by their actions. And in this I am confirm'd by

the testimony of a great man, whose author rity in this point cannot be question'd, fince his zeal for the establish'd church, and his attachment to his prince were fo great, that he loft his life in their defence. This is the lord Falkland, with part of whose speech in the house of commons upon the bill for the exclusion of the bishops from the house of lords, I shall conclude my account of this reign.

" Mr. * Speaker, he is a great stranger in

Ifrael, who knows not, that this kingdom " hath long labour'd under many and great " oppressions both in religion and liberty; " and his acquaintance here is not great, or his ingenuity less, who does not know and ac-"knowledge, that a great, if not a principal cause of both these hath been some bishops, " and their adherents. " Mr. Speaker, a little fearch will ferve to find them to have been the destruction of " unity under the pretence of uniformity, to

" to have defiled our church by adorning our "churches, to have flacken'd the strictness of

" have brought in superstition and scandal " under the titles of reverence and decency;

that union, which was formerly betwixt us

^{*} Rushw. vol. 4. p. 184.

and those of our religion beyond the sea, an " action as impolitick as ungodly.

" As Sir Thomas More fays of the casuists, " their business was not to keep men from

if finning, but to inform them, quam prope ad

" peccatum fine peccato liceat accedere: fo it

feem'd their work was to try, how much of

" a papist might be brought in without po-

es pery, and to destroy as much as they could

" of the gospel, without bringing themselves

" in danger of being destroy'd by law.

" Mr. Speaker, to go yet further, some of " them have so industriously labour'd to de-" duce themselves from Rome, that they have " given great suspicion, that in gratitude they " defire to return thither, or at least to meet " it half way. Some have evidently labour'd " to bring in an English, tho' not a Roman " popery; I mean not the outfide of it only, " and dress of it, but equally absolute, a blind " obedience of the people upon the clergy, " and of the clergy upon themselves; and have " opposed papacy beyond the sea, that they " might fettle one beyond the water: nay " common fame is more than ordinarily false, " if none of them have found a way to reconcile the opinions of Rome to the prefer-" ments of England, and to be absolutely, di-" rectly, and cordially papifts, that is all, 1500l. r per annum, can do, to keep them from confessing it."

I would not be understood from any thing I have faid of the protestant clergy to infinuate, that their conduct had any necessary connection with the principles of our establish'd religion: but my design is only to shew the ill consequence of throwing so great a share of power and property into the hands of any fet of men, as shall naturally occasion them to have a distinct interest from that of the community. And therefore I must observe, the presbyterian ministers discover'd no less fondness for power than those of the church of England, nor less inclination to oppress all, who thought differently from them, during that short time, in which they vainly imagin'd every thing was to be carry'd on according to those whimsies, they had form'd in their heads.

It is surprizing to consider how little effect the consideration of the miseries, this kingdom so lately felt, had upon the minds of the elergy after the restoration of Charles II. It was to be expected, they would have shun'd with horror those steps, which had been found by experience to have exposed their country to ruin, and have blush'd at the bare mention of those doctrines, by which they themselves had been so eminently accessory thereto.

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But compassion for the sufferings of their country, and a regard for the rest of their sellow-subjects weigh'd very little with them, when put in the ballance with the hopes of preserment under a new king, and an irreconcileable hatred to the presbyterians. They fell into all the maxims and designs of an abandon'd, licentious and corrupt court, and extoll'd the justness and wisdom of its measures.

Nor did they shew any greater regard for the religious than civil rights of the kingdom, tho' the disposition of those, who were nearest the king claim'd, no small circumspection from them * in that point. And tho' they could not but be sensible of the dangers, which so evidently threatned religion from a popish succeffor, yet they were the most violent exclaimers against the bill of exclusion +; and when it came into the house of lords, most of the bishops present, if not all, voted against it: and with fuch zeal did they run into the humour. of the court at that time, that it was observ'd, they fully verified the proverb in the gospel, " where the carcase is, the eagles will be ga-" thered together."

Nor was this zeal of the clergy for the designs of the court the over-slowings only of an incontinent joy at the king's restoration, which

^{*} Ratin.

which might have engaged their whole attention in fuch a manner, as to prevent so early a difcernment of the wrong measures then taken; but when the mask was quite thrown off, and the king, having quarrell'd with his last parliament, discover'd his resolution never to be cramp'd with one for the future, " * the " clergy particularly diftinguish'd themselves " by shewing their attachment to the prin-" ciples and maxims of the court, and feem'd " to make it their business to surrender to " the king all the liberties and privileges of " the subjects, and to leave them only an un-" limited obedience. According to the prin-" ciples publickly preach'd no eastern me-" narch was more absolute than the king of " England." The conduct of the late parliaments was arraign'd, as feditious and treafonable: and, at the arch-bishop of Canterbury's own + motion, the clergy were made the heralds for publishing the reasons, the king in his declaration pretended he had, for diffolving the parliament, which was to be read in all the churches throughout England.

It is strange, how prevalent the most abfurd and destructive opinions are over the minds of good and wise men, when progagated as the general sentiments of that body,

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of which they are members. And of this we have an extraordinary instance in a great man, whose name I cannot mention on this occasion without reluctance: I mean, the famous arch-bishop Tillotson, who from his letter to my lord Russel, when under condemnation in Newgate, the latter end of this reign, appears to have held the doctrine of unlimited passive obedience, in the strictest sense of the words; tho' afterwards experience of the fatal consequences, that flow'd from such doctrine, it is to be presumed, made him act upon principles very different from those, into which he had been before misled; and no one appear'd a more strenuous well-wisher to the revolution, that follow'd in the next reign.

Since then the prevalency of general opinions may have that force in misleading more discerning and maturer judgments, with what detestation must we look on the behaviour of those, who having the education of a great part of the youth of the nation, and those too of highest distinction, committed to their care, should, in order to recommend themselves to a prince, endeavour to corrupt the raw and uninform'd minds of such youth with the most ungenerous and slavish doctrines? This was what the university of Oxford did; who,

not content with * giving the king a manifest proof, by a solemn decree, of their own mean and profitute compliance with all his defigns, whatfoever they should be; infamously order'd, by the same decree, all tutors to instruct those under their care in the same servile notions, they themselves had therein express'd. What treatment did not these betrayers of the most important charge, their country could intrust them with, deserve from it? Who, instead of forming the minds of their pupils, by an early acquaintance with the celebrated authors of antiquity, to an imitation of Greek and Roman virtues, and of animating them by the noblest examples with the love of virtue, freedom, and their country; who, instead of fortifying their minds with a generous courage, and contempt of death, if ever the publick fervice should require it, taught them to become fubmiffive

flaves

All civil authority is derived originally from the people. There is a mutual compact, tacit or express, between a prince and his subjects; and that if he perform not his duty, they are discharg'd from theirs.

That if governours become tyrants, or govern otherwise, than by the laws of God and man they or ght to do, they forfeit the

right they had unto their government.

There lies no obligation on christians to passive obedience; and the primitive christians chose rather to die than resist, because christianity was not settled by the laws of the empire.

Vide Rapin, vol. 2. p. 730.

^{*} Among st other doctrines, these following were condemn'd as damnable, and destructive to all society; viz.

flaves of oppression, fit only to execute the will and commands of tyrants.

After the death of Charles II, the duke of York fucceeded to the crown with the general appearance of approbation and joy in the clergy, tho' the principles of his religion had been fufficiently known; and there was great reason to believe, that the wrong steps, and violent measures taken in the latter end of his brother's reign, were greatly push'd forward by the natural earnestness of the duke's temper and councils. These considerations, one would have thought, should have more particularly obliged the clergy to the greatest circumspection and caution in all, they said or did, to avoid giving the least countenance to any opinions, which they were fenfible must hurry a prince of James's complexion of mind more precipitately into fuch defigns, as his religious, and other principles of course inclin'd him to; and in which they could not but difcern, he would have no other check than the appearance of difficulty and opposition, he might meet with in the accomplishment of them.

But fo far were they from using any precaution of this kind, that after king James came to the crown, unlimited obedience was trumpeted, if poslible, with more industry

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than ever in the pulpit, and all other places. And how necessary, and inseparable a part they thought it of the christian religion, as establish'd here, is manifest from the insulting importunity (for furely it can be call'd no other). with which the unfortunate * duke of Monmouth was press'd to acknowledge it on the scaffold by those appointed to attend him, who were the bishops of Ely, and of Bath and Wells, together with Dr. Tenison and Dr. Hooper. Nay, so careful were some of the clergy, that the regal power should not seem, liable to any restraints or limitations, that lest the king's own gracious promifes, which he had made at his coming to the crown, might be thought to bind him down to the performance of them, Dr. Cartwright, afterwards bishop of Chester +, afferted in a sermon, " that the king's promises were free donatives. " and ought not to be too strictly examin'd or " urged, and that they must leave his majesty. " to explain his own meaning in them."

After a view of such principles and conduct hitherto, it may seem something strange to find on a sudden, that the career of this king's illegal proceedings, met with one of the first stops from some of the clergy; this was in their refusal to read the king's declaration for liberty

* See Dr. Sachev. tryal, p. 169. + Rapin, vol. 2. p.754.

liberty of conscience, on account of which, seven of the bishops were committed to the Tower. But in this non-compliance with the court (unufual as it was) they fwerv'd not from their usual maxims of policy. They plainly now begun to see, that their own interest, and the designs of the king were no longer compatible. * A Roman, not an English, popery, as in Charles I's time, was now to be establish'd here. The affair of Magdalen-college in Oxford had open'd their eyes to a fense of the danger, they run, in being further tools to his defigns, and that they were likely to hold their ecclesiastical possessions by the uncertain tenure of the king's will. In such a case it was impossible not to foresee, that their preferments would be foon given from them to fuch men, who having had their education in the church of Rome, would be more relied on by a bigotted king, and who indeed would be more proper to execute the work, he was in fuch a hurry to accomplish, than an English clergy, who if they could be dispos'd to embrace his religon, yet could with a very ill grace and fuccess be suppos'd to propagate it amongst the people. What was then to be expected, but to see large bands of foreign ecclefiasticks pouring in upon the nation, as in the times of Henry III, and the plentiful harveft

vest, which the king flatter'd himself was now ripe, gather'd in by the hands of French and Italian priests? Was it not therefore the cause of the church alone, not that of publick liberty, nor a regard for the interest of the people, that wrought this fudden alteration in the clergy? The attempts upon civil liberty had remain'd uncenfured, and unoppos'd, nay were enforc'd by them on pain of damnation; and none of these very bishops had scrupled, or thought it even indecent to publish in their pulpits the late king's abusive declaration against the conduct of his parliament, infomuch that this fame arch-bishop, who was now one of the seven, was the person; that propos'd it in council, as has been mention'd above. So used had king James been to hear an absolute obedience to his commands preach'd up by the clergy, and to meet with a full compliance with them in other matters, that on this opposition he very naturally said, "I * did not " expect this from the church of England, " especially from some of you."

Behold now the clergy all at once running counter to those doctrines of their own broaching, which they had with so much vehemence maintain'd, and becoming guilty of what they themselves had so very lately denounc'd

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^{*} Rapin, vol. 2. p. 763.

the heaviest censures and damnations against, both in their particular fermons and discourses, and in their more solemn and publick decrees! This is their so much boasted stand for the liberty of the people! This, their ever-memorable conduct!

When foon afterwards the nation was under a necessity of calling in the prince of Orange for the preservation of their rights, tho' the clergy thought proper to fwim with the stream, yet we see how awkwardly most of those shifting motley politicians came into, what they were conscious was entirely contradictory to those maxims they had so avowedly inculcated: nor had king William been long on the throne, before a disappointment in those preferments, many of them expected, or a relapse into those doctrines, over which they could no longer bear to wear the mafk, made them return, like the dog to the vomit; giving great reason to suspect, that too many amongst them would gladly have seen the nation again exposed to its former perils by a restoration, with the aggravation of having taken the oaths of allegiance to king William, and abjuration of James.

With this remarkable period in our history

I shall close the present account, as the behaviour

haviour of the clergy fince that time is so known, and fresh in the memory of every one, that it will be needless for me to say any thing of it here.

And as I have had no other inducement in laying this before the publick, than a fincere zeal for the liberty of all my fellow-subjects against every oppression of what kind soever; so if in this attempt any mistake has been committed (tho' I am not conscious of any at present) I shall always be ready ingenuously to acknowledge it.

FINIS.











